# SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

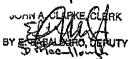
LOS ANGELES SUPERIOR COURT

MAR. 04 2005

MADELEINE RELLER, individually, and as Successor in Interest to FREDRIC RELLER,

Plaintiff.

CASE NO. BC 261796



PHILIP MORRIS USA INC., et al.,

Defendants.

## SPECIAL VERDICT FORM

Action Filed: November 14, 2001 Trial Date: January 11, 2005

Judge: The Honorable Victoria G. Chaney

Dept.: 324

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#### SPECIAL VERDICT

We, the jury in the above entitled action, find the following special verdict on the questions submitted to us:

#### Question No. 1

After January 1964, when Mr. Reller began smoking Philip Morris products, did the defendant conceal or suppress a material fact?

Answer "yes" or "no".

Answer: YES

If you answer Question No. 1 "no", sign and return this verdict. If you answer Question No. 1 "yes", then answer Question No. 2.

## Question No. 2

Did the defendant intentionally conceal or suppress the fact with the intent to defraud Mr. Reller?

Answer "yes" or "no".

Answer: VES

If you answer Question No. 2 "no", sign and return this verdict. If you answer Question No. 2 "yes", then answer Question No. 3.

### Question No. 3

Was Mr. Reller aware of the fact at the time he acted?

Answer "yes" or "no".

Answer: VES

If you answer Question No. 3 "yes", sign and return this verdict. If you answer Question No. 3 "no", then answer Question No. 4.

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Question ]	<u>No. 4</u>
of the con	Would Mr. Reller have acted in the way he acted if he had known cealed or suppressed fact?
	Answer "yes" or "no".
	Answer:
you answe	If you answer Question No. 4 "yes", sign and return this verdict. If r Question No. 4 "no", then answer Question No. 5.
Question I	
Reller dan	Did defendantly concentration suppression of the fact cause Mr.
	Answer "yes" or "no".
	Answer:
you answer	If you answer Question No. 5 "no", sign and return this verdict. If Question No. 5 "yea", then answer Question No. 6.
Question N	<u>Io. 6</u>
	What is the reasonable value of medical, hospital and nursing ces, and supplies sustained by Mr. Reller and caused by the nt or suppression of the fact?
	Answer: \$

Answer Question No. 7.

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Duestion No. 7
What are the funeral and disposition expenses incurred by laintiff and caused by the concealment or suppression of the fact?
Answer: \$
Answer Question No. 8.
Ouestion No. 8
What is the noneconomic loss, including loss of love, ompanionship, comfort, affection, society, solace, moral support and njoyment of sexual relations, suffered by Plaintiff and caused by the oncealment or suppression of fact?
Answer: \$
Answer Question No. 9.
Duestion No. 9
Do you find by clear and convincing evidence that defendant was uilty of oppression, malice, or fraud in the conduct on which you base your nding of liability?
Answer "yes" or "no".
Answer:
Date and sign this verdict.

Date: 03-64-05

Foreperson: Marco Maran